

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JDS TECHNOLOGIES, INC.,  
a Michigan corporation,

Plaintiff.

Case No. 15-10385

AVIGILON USA CORPORATION,  
a Delaware corporation and AVIGILON  
CORPORATION, a Canadian corporation,

HON. AVERN COHN

Defendants.

---

**ORDER REGARDING PLAINTIFF'S MOTION FOR CLARIFICATION AND  
OBJECTION TO BIFURCATION ORDER (Doc. 90)**

This is a patent case. Plaintiff JDS Technologies, Inc. (JDS) is suing defendant Avigilon USA Corporation and Avigilon Corporation (collectively "Avigilon") claiming infringement of two patents: U.S. Patent Nos. 6,891,566 and 8,185,964. On July 17, 2018, the Court entered an order bifurcating the issues of liability and damages and staying proceedings on damages pending resolution of the issues relating to liability. (Doc. 82).

Before the Court is JDS's motion for clarification and objection to the Court's bifurcation order. To clarify, the previous scheduling orders except as modified herein continue.

1. The initial trial will be limited to issues of validity and enforceability and direct infringement.

2. The schedule for the initial trial is as follows:

Close of Fact Discovery	10/31/2018
Expert Reports Due	10/31/2018
Rebuttal Expert Reports Due	12/31/2018
Close of Expert Discovery	12/31/2018
Motions for Summary Judgment	12/31/2018

Additionally, to better understand the expert reports and anticipated motions, the Court needs to be informed as to the basic issues in the case. Accordingly, the parties shall file the following:

1. Within ten (10) days JDS shall file its infringement contentions which includes identification of the accused device(s). JDS shall also file a proposed verdict form.
2. Within ten (10) days thereafter, Avigilon shall file its (1) non-infringement contentions, (2) invalidity contentions, and (3) miscellaneous contentions.

The contentions shall consist of a short statement(s) which briefly describe the issues.

This resolves JDS's motion.

SO ORDERED.

S/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: 9/5/2018  
Detroit, Michigan